

**\*OGC Has Reviewed\***

12 April 1954

**MEMORANDUM FOR:** Acting Deputy Director (Administration)**SUBJECT:** Suggested Procedure to be Adopted by the Agency in Compliance with Public Laws Authorizing Federal Aid to School Facilities in Maryland and Virginia**REFERENCE:** Memorandum from the Department of Health, Education, and Welfare to DD/A, dated March 16, 1954

1. In referenced memorandum, the Chief, Federal Properties and Special Studies Section, of the Department of Health, Education, and Welfare, requested of this Agency "the name and/or number of each Federal building" in which the Agency has employees in Washington, D. C. The request was made against the background of Public Laws 815 and 874 (81st Congress, 2nd Session (1950)). In substance, these laws, as amended by Public Laws 246 and 248 (83rd Congress 1st Session (1953)) is that the Federal Government will provide contribution to the (a) construction and (b) maintenance and operation of schools "situated within reasonable commuting distance" of Federal properties on which their parents are employed. So far as the headquarters echelon is concerned, such Federal assistance will be forthcoming to schools in those counties in Virginia and Maryland which are attended by children whose parents are employed by this Agency in Washington. A condition precedent of the Federal aid is that the parents concerned be employed on "Federal properties." Hence, the request of the Chief, Federal Properties and Special Studies Section of the list of buildings occupied by CIA employees in Washington.

2. Since information as to the location of all buildings occupied by this Agency, in Washington or elsewhere, is classified, representatives of the Office of Security, with whom this problem has been discussed, have all but stated that they would not approve of the submission of a list of such buildings to the Department of Health, Education, and Welfare. On the other hand there is the equitable consideration that the children of CIA headquarters personnel benefit from school facilities in the nearby counties of Maryland and Virginia, consequently that they should lend themselves to the implementation of the Federal program if at all possible. And

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there is the practical consideration that, because of the amount of money which will be allowed for each child whose parents meet the statutory requirements, the sum total of allowable money represented by all CIA children is considerable.

3. Consequently, there is posed the problem of how to meet the security demands of the Agency and the equitable demands of the nearby school districts. After some discussion with various people in the Department of Health, Education, and Welfare, notably a Mr. Burns Henning, Office of General Counsel of that Department, it was suggested that, if a list of employees of this Agency, as furnished by their children in various schools in Maryland and Virginia, were submitted to CIA, we could undertake to find out whether or not such parents were employed on Federal property within the meaning of that phrase as employed in the statutes. Thereupon we could certify such employment to the Department but without disclosing the names and locations of the buildings involved. This proposal had received the prior blessing of the Security people on 24 March 1954 (██████████ Ext. 692). At first, Mr. Henning objected that the practical effect of this proposal would be the delegation to CIA of the statutory authority of the Commissioner of Education to make a determination as to whether or not a particular piece of property was Federal property within the strict meaning of the phrase. Admitting this, we countered with a statement of our reluctance, in fact unwillingness, to submit to him a list of buildings in which CIA people were employed other than the buildings identified by the address, "2430 E Street, N. W." The matter was left there pending Mr. Henning's discussion of this proposal with what he termed the "administrative people" in his Department.

4. Mr. Henning called this office the morning of April 8th and stated that his Department was willing to go along with the scheme outlined above. The mechanics of this scheme are as follows. Children in nearby Virginia and Maryland counties will continue to be polled as to whether or not their parents work for the Federal Government and where. For those instances where parents are revealed to be employed by CIA, a separate list will be kept by the Department and sent in whole, or in successive parts, to this Agency, attention this office. In passing, we note that to date, CIA children have identified the Federal property on which their parents are employed, either as 2430 E Street,, or as the temporary buildings around the Lincoln Memorial. Upon receipt of a list in this office, we will undertake to find out which of the buildings a given person is employed and further to ascertain if such a building is Federal property within the meaning of the law. Thereafter the list will be returned with suitable notations as to employment on, or not on, Federal property. The Department, on the basis of this certification then will proceed to administer the statute accordingly.

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5. While this procedure will result in the accumulation of at least a partial roster of CIA employees in the Department of Health, Education, and Welfare, it will be only a partial list; it will be treated as classified material; it will be handled only by people in the Department with a Secret clearance; and information regarding locations of deep cover personnel or installations can be withheld.

6. While the above is in specific reference to CIA headquarters in Washington and school districts in the nearby surrounding area, the problem generally is the same as regards CIA installations in other parts of the country. And it is felt that the solution proposed would be workable elsewhere.

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Office of General Counsel

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